G. R. S. 59]

GENERAL AND REVENUE SECRETARIAT.

1911
~~490~~
(Police)

File No. 125 – 11

Serial Nos. 1 – 10

Papers Filed.

Month Mar 13

SUBJECT.

Introduction of a petty charge sheet for offences falling under Sec 56 of the Police Regn

PREVIOUS REFERENCES.	LATER REFERENCES.

GPB—1,000—16-6-05

Kadamian
24/5/13

G.R.S. 11]

191/

GENERAL AND REVENUE SECRETARIAT.

Police)

NOTES.

File No. 125-11

FILE HEADING.

Introduction of a petty charge sheet for offences falling under section 56 of the Mysore Police Regulation

From

The I. G. of Police in Mysore

No. 98-6 Dated 6-7-11 Received 7-7-11

Diary No. 771 Enclos. / Spare Copies. Serial No. /

BRIEF ABSTRACT OF LETTER.

Recommends that in order to save time & work a petty charge sheet as per form enclosed may be introduced for offences falling under section 56 of the Mysore Police Regulation & requests that this new form may be substituted for the petty charge sheet now in use in the Bangalore City which was issued under Act V of 1861 and which has become illegal since the introduction of the Police Regulation

NOTES AND ORDERS.

H.P.

From the requisition slip paper it will be seen that the Chief Comr's circular referred to by the I.G. is not available in this Office. Submd. with a draft to the I.G.P.

B.S. 15-7-11. (57)

NOTES—First Sheet.

Serial No.

2 Aug 11

15/7/11

2. To The I. G. of Police. no. J 316 dt. 20.7.11.
Calls for a copy of the circular

3 From The I. G. P. no. 1690-189 dt. 30.10.11
States that there is no circular bearing the no. and that it was mentioned by oversight.

3) The I.G.'s letter deals with two questions: —

(A) The introduction of a petty charge sheet to the K.G.T. for cases under section 56 of the Mysore Police Regulation.

(B) The substitution of this new charge sheet for the one already in use in the Bangalore City.

4) (A) The introduction of a new petty charge sheet to the K.G.T.

It is stated that owing to the introduction of section 56 of the Mysore Police Regulation to the K.G.T. the work in Criminal Courts in the Police Districts greatly increased, that more

7/8/11

GPB—50,000—12-8-10

Serial No.

the existing practice the mayor has, in every petty case to write out the Summary Register and that this entails a waste of lot of time & labour. To obviate this the I.G. recommends the introduction of a petty charge sheet (a modification of the one introduced in the Bangalore City under Act V of 1861) which is to be written up ~~by~~ in triplicate by the police except the columns "Orders of mayor." The mayor should write out his order on one of the copies sent by the police in the column left blank by them and this copy is to be filed in the court. The mayor's order is to be copied in the other two copies — one being sent to his superior authority & the other returned to the police for reference.

5). The introduction of the proposed form will have the effect of doing away with the Summary Register prescribed under the provisions of the Criminal Procedure Code so far as cases under section 86 of the Police Regulation are concerned.—

6) The opinion of the Ld. A.G. in the matter is contained in their Proceedings No. 5446-3364 dt 27.6.11 copy of which is appended:—

NOTE—Contn. sheet.

Police File no 125 of 1911-12 4

No 5446/3364 Proceedings of the Chief Court of Mysore at Bangalore.

Dy 27th June 1911.

7) Read letter no. 9609 dated the 13th instant from the Dt. Magistrate of Kolar forwarding a copy of the Kolar Gold Fields Spl. Magis' letter no. 423 dated 11th May 1911, together with the records of certain cases tried summarily by the latter Officer and stating that a simple form like the one used by the Magis in the trial of these cases is very necessary for purposes of despatch of work in such a busy area as K.G.F.

---

9) Having regard to the fact that the punishment awarded for the offences mentioned in section 56 of the Police Regulation is only a fine which may extend to Rs 50, those offences can be tried summarily by a 1st class magistr specially empowered under section 260 Cr. P. Code, and if they are so tried, the magistrate will have to use the register prescribed by

Police Rule No 125 of 1911-12

Govt. under section 263 Cr. P. C. and entrusted with the whole of the particulars mentioned in that section. It is not competent to him to delegate that work to any other person, and even the Govt. cannot, in the opinion of the Chief Court, authorise him to do so under the law as it at present stands. It is, of course, open to the Govt, in the exercise of the power vested in them by section 263, to prescribe a form different from and simpler than the one now in use, for the trial of offences under the Police Regulation; but even these forms will have to be filled up by the Magte. What the Dt. Magte. really wants seems to be that such forms as may be prescribed should be allowed to be filled up by the police except the col: headed "sentence" and that the work of the magte should be confined to filling up that column only. This cannot in the opinion of the Chief Court be legally allowed to be done. If, in the opinion of the Dt. Magte, a simpler form than the one in use, under the orders of Govt. for the trial of summary cases is considered necessary he may address

Police file no 128 of 1911-12 6

the govt. in the matter.

9) The records are returned.

(Sd) V. A. Rajasekhara Mudaliar
Registrar

To The Dt. Magistrate Kolar

Copy

Taken from CC
file no. 266-10-11.

G. R. S. 12]
General and Revenue Secretariat.

Police File No. 125 of 19 11-12

Serial No.

10) From the above it will be seen that if it is decided to introduce the new form proposed by the I.G. the Criminal Procedure Code will have to be suitably amended.

11) (B) Substitution of the new form proposed for the one already in existence in the Bangalore City.

The petty charge sheet form now in use in the Bangalore City was introduced under Act IV of 1861. Its continuance has become an anomaly inasmuch as the Act under which it was introduced has been wholly repealed by the Mysore Police Regulation. So the I.G. requests that the new form now proposed may be substituted for the old anomalous one.

717

12) It is a matter for consideration why, if the new form is sanctioned, it should not be made applicable to all localities ~~in~~ in the State to which Section 56 of the Police Regulation is extended.

Subs. for orders.

B.G. 27-11-11.

SIV(11) 25/11/11

13) Withdrawn. It was with a view

NOTE—Contn. sheet.

DPB—50,000—12-8-10

Serial No.

to give relief to the Special Magistrate at K.G.Y. that the Munsiff there was recently appointed a 1st class Magte. This minimises the inconvenience, if any, felt by the former Court. [Please portray this ?] In any case the Course suggested by the D.G.P. and the D.C.J. Kolar Can not be accepted as it has been held by the Chief Court to be opposed to law. Sec 263 of the Criminal Procedure Code requires that in all Summary trials Certain particulars specified therein should be entered ~~[illegible]~~ by the Magistrate or Bench of Magistrates in the Summary Register by the trying Magistrate or Bench of Magistrates.

(4) The D.G.P. states that the form of petty charge sheet now in use in Bangalore City is an antiquated one There seems to be no objection to his laying down a new and improved form for use by the Police but this Can not obviate the necessity of the Magistrate writing down the entries in the "Summary Register" as required by law. The D.G.P. may be informed

7 C 2
Ch 266-00
1-3-(B)

NOTE—Contn. sheet.

GPB—50,000—12-8-10

Serial No.

accordingly

20/1/12

1 Encl 2 Cy. 15) I think so too. Both. is there a 'petty charge sheet' in British India and how does it compare with the one now proposed ?

16/1/12

16) Put up draft Enquiring - if the information is not already available.

Mir 17/1/12.

16/1/12

17) Draft enquiring order.

B.S. GP/18.1.12.

18) Issue

19/1/12

4 To The S.S.P. no. J2087 dt 23.1.12 calls for the required information

Sus 24/1/12

5 From The S.S.P. no. 3333/410 dt 26.2.12 Furnishes the required information

NOTE—Contn. sheet.

GPB—50,000—12-8-10

Serial No.

19) It is stated that a petty charge sheet is in use in the Madras Presidency; that this form is exactly similar to the one introduced into the C. & M. Stations, Bangalore [illegible] dt 27/7/1861 except that the latter contains one column (viz, "monthly no. & date.") more than the former; and that the form now proposed to be used introduced in the K. G. F. & the Bangalore City is much simpler inasmuch as it contains only 6 columns against 8 of Madras and will be used only for offences under section 56 of the Police Regulation whereas the Madras form is used for offences [illegible] against the Police Act but for [illegible] other acts as well.

Subo for orders.

B. S.
6/4.3.12.
SN(11)
4.3.12.

20 But this does not get rid of the difficulty pointed out by the Ch. Ct. already. Sec 263 of the Cr. Pr. Code lays down a certain form and the direction seems of the law seems to be imperative. The

GPB—50,000—12-8-10

G. R. S. 12]

General and Revenue Secretariat.

File No. 125 of 1911

Serial No.

will have to be amended if the suggested form has to is to be adopted

12/3/12

Please see the correspondence ending with D.O. letter dated 13/3/12 from Mr. Matthan

12/3/12

Please issue the D.O. letter to Mr Matthan

16/3/12

6 To Mr. Matthan. D.O. No. J2736 dt 15-3-12

Requested to be informed of the authority under which the petty charge sheet forms said to be in use in the Madras Presidency Magistrates Courts at Madras was prescribed.

From Mr. Matthan. D.O. dt 19.6.12.

Forwards papers received from Mr. Pritchard regarding the petty charge sheet form in use in Madras & the C. & M. Station, Bangalore and states that he has not been able to find out the authority for its use.

NOTE—Contn. sheet.

G. R. S. 12]

General and Revenue Secretariat.

Police File No. 125 of 1911-12

Serial No.

23

Subd. for orders.

B.G. (57) 28/6/12.

SW(11) 29/6/12

24- Please lookup the provisions of the Acts refd to in Mr Prichard's letter Act III of 1888 and Act V of 1869 and see if there is any provision therein authorising the use of such forms or Empowering the Local Govts to ~~authorise~~ prescribe forms for charge sheets.

SW

29/6/12

25- Subd. Section 46, (2), (a) of Act V of 1861 authorises Local Govts. to make rules to regulate the procedure to be followed by magts & police officers in the discharge of any duty imposed on them by or under the Act. Probably the petty charge sheet might have been prescribed by rules made under this Section. Attention is invited to Section 173 of the C. P. C. authorising

NOTE—Contn. sheet.

GBE—20,000—20-1-12

13

G. R. S. 12]

General and Revenue Secretariat.

Police File No. 125 of 1911-12

Serial No.

Local Govts to prescribe the form of charge Sheet.

B.G. 6/7/12.

SW (11) 8/7/12

26. Act V of 1861 or any Similar Act is not in force in Mysore and the provisions of Sec 263 of the Cr. pr. Code being imperative as pointed out by the Ch. Ct. there is no getting over the form of judgment prescribed there in.* There is no objection to the Charge Sheet being amended in any manner that is deemed suitable but the Magistrate can not be relieved from the obligation of conforming to the provisions of Sec 263 of the Code unless the Code itself is amended. This seems to be hardly necessary as the work in the Court of the Special Magistrate does not seem appear to be very heavy now. Further Simplification of the procedure ~~that is laid down~~ for Summary trials does not seem to be called for

27. The L. G. of Phia may be informed that no change in the law or

* & alter the particulars required to be entered in the judgment.

NOTE—Contn. sheet.

G. R. S. 12]

General and Revenue Secretariat.

File No. 125 of 1911

Serial No.

Procedure as it exists at present is called for

14/7/12

28 Sec. asst. sec. will please bring up in person

23
30/7

29 I should like to know the total no. of cases under Sec 56 of the Pris. Regn which have been filed & disposed of in the Special Tragedies Courts during 1910-11

23
30/7

30 Reply draft asking for info

30/7/12

31 Draft subd.

BG. 31.8.12 SA(CL)

32

1/8/12

NOTE—Contn. sheet.

GPB—20,000—20-4-12

G. R. S. 12]

General and Revenue Secretariat.

Police File No. 125 of 1911-12

Serial No.	
8	To The D. S. P. No. J 404 dt 7.8.12 Calls for the required information.
9	From the same office No. 1431/129 dt 4-10-12. Furnishes the information called for.

33 The information was called for at the instance of the Secretary. Submd for orders.

9-10-12

34 The number of Cases is very Small.

11/10/12

Seen

35 The no. of cases filed in the special Magistrates Court under Sec 58 of the Rice Regulation was 70 in the year 1910-11 & 39 during the year 1911-12. It cannot be said that the number is so large as to require any simplification of the Special Magistrates work in respect of these cases.

~~Already perhaps the report of the~~

NOTE--Contn. sheet.

GPB—20,000—29-1-12

R. S. 12]

General and Revenue Secretariat.

Police File No. 125 of 1911-12

Serial No.

36

It is pointed out in the office notes above that the adoption of the form & the procedure proposed of the I.G.P. will be opposed to the provisions of the Cr. P.C. in observance of the duty of the Chief Asst was not the same difficulty felt by the British Courts before adopting the prescribed form? If so how was it got over. The answer will please be embodied in the note on the form & bring up the file in person.

23/12

Spoke to him about this & bring this to my notice

5/4/12

37

I regret I have not been able to find out how exactly the difficulty was got over in Madras. Possibly, I thought, the Madras Police Act II of 1861 contained some provision whereby the procedure could be legalised. But the only provision in that Act having any bearing on the present question is Sec 46 which gives power (Subsec 2 (a)) to the local Govt to make rules to regulate the procedure to be followed by Magistrates

NOTE—Contn. sheet.

GPB—65,000—17-6-12.

G. R. S. 12]

General and Revenue Secretariat. | Police File No. 125 of 1911-12

Serial No.

and police officers in the discharge any duty imposed upon them by or under this Act". But it was not possible to have any rules framed by the Madras Govt under the above Section.

38 If necessary we may Enquire how the Res' how exactly the procedure came to be adopted

20/11/12

Had a talk with the Secy SB 19/11/12

Secy)

Mr Cotton

39 Section 263 of the Criminal Procedure Code which lays down the procedure for summary trials before Magistrates does not apply to Presidency Magistrates. The procedure of the latter in similar cases is governed by section 370 of the Criminal Procedure Code which

NOTE—Contn. sheet.

GPB—65,000—17-5-12.

G. R. S. 12]

General and Revenue Secretariat. | Police File No. 125 of 1911-12

Serial No.

gives the particulars to be recorded in the judgment by a Presidency Magte. A reference to this section will show that the particulars required to be recorded by him in the judgment are nearly the same as those to be entered in the Summary Register by other magtes. in cases tried summarily, the only difference being that the Presidency Magte. is required to record a brief statement of the reasons for the conviction only in cases in which he sentences the accused to imprisonment or to a fine of Rs 200 or above whereas the ordinary magtes. are required to give a brief statement of reasons in every case of conviction Though the Presidency Magte. is required to write up himself all the particulars mentioned in section 370, in practice probably the court clerk fills in all the columns except those for the plea of the accused, the final order and the brief statement of reasons

NOTE—Contn. sheet.

Serial No.

in cases of conviction. It will thus be seen that even a Presidency Magistrate cannot delegate the function of writing any part of the judgment to the police officers.

40 The petty charge sheet form recommended by the I.G.P. Police seems to be intended solely for the use of the police and cannot therefore form part of the court records. The column for the entry of the Magistrate's order is intended to embody the result of the trial in the police records for the information of the police. Somehow the practice of magistrates writing up their judgments on one of the forms supplied by the police seems to have grown up in the sixties in Bangalore (City & C. & M. Stations) and Madras. Admittedly no legal authority can be found to support this procedure. The Madras Police Acts of 1861 and 1888 contain no provisions authorising this practice.

41 A reference to the list asked by the I.G. with his

* In the City Courts the judgments are now entered in the Summary Register prescribed by section 263 of the Criminal Procedure Code.

NOTE—Contn. sheet.

G. R. S. 12]

General and Revenue Secretariat.

Police File No. 125 of 1911-12

Serial No.	
Sl no. 9,	Letter no. 1431-129 will show that the number of cases for which the new petty charge sheet is intended is not large. It will also be seen from
7/2	court file no. 266-10 that ~~Dewan~~ Mr. D.K. Rama Rao, Munsiff, K.G.F., has been invested with 1st class powers with a view to afford some relief to the Special Maste. ~~There~~ is also a general impression that the Special Maste. is certainly not overworked. ~~[illegible]~~
	4² In these circumstances it is a matter for consideration whether it is worthwhile undertaking legislation to amend sections 263 & 265 of the Criminal Procedure Code.
	4³ It does not seem that a Case "for relief" has been made out at all. If anything the Special Maste does not seem to have enough work now.
	4⁴ If this view is approved an order may be issued that ~~Govt are not satisfied~~ an officer is satisfied that the introduction of the "petty Charge Sheet" recommended by the D.G.

NOTE—Contn. sheet.

G I E—65,000—17-6-12.

G. R. S. 12]

General and Revenue Secretariat.

Police File No. 125 of 1911-12

Serial No.

is opposed to law and that under existing Conditions no relief to the Special Magte is needed to enable him to get through the Cases under that Police Regulation Expeditiously

7/1/13

1st & 2nd

US. There is not much writing required for summary trials under the Cr P Code. The number of Crl Cases coming before the Magistrates referred to which can be dealt with under this proposal in Petty Charge Sheets is not many. I think that in Crl Cases however

NOTE—Contn. sheet.

GIP—65,CC—1,7-C-12.

G. R. S. 12]

General and Revenue Secretariat.

Police File No. 125 of 1911-12

Serial No.

is opposed to law and that under Existing Conditions no relief to the Special Magte is needed to Enable him to get through the Cases under the Police Regulation Expeditiously

7/1/13 Lff

1st & 2nd ✓

4. There is not much writing required for the summary trials under the Cr P Code. The number of Crl Cases coming before the Magistrates referred to which can be dealt with under this proposal in Petty Charge Sheets is not many. I think that in Crl Cases however

NOTE—Contn. sheet.

GIE—65,000—17-6-12.

G. R. S. 12]

General and Revenue Secretariat.

Police File No. 125 of 1911—12.

Serial No.

safety. Some adequate degree of formality prevents the trials from becoming loose and occasionally unjust to parties. The matter may be dropped. There can be no objection (if necessary) to simplify forms of Police Reports for such cases.

19/2/13

2nd Consultation

27/2 24/2

22.2.13

No change in our present form or practice is called for. The matter may be dropped & orders in the terms suggested Govt. Bombay — Govt. of India

27/2

Please put up draft & copy to GSP.

27/2

NOTE—Contn. sheet.

G I E—65,000—17-6-12.

(23

D. R. S. 12]

General and Revenue Secretariat.

Police File No. 125 of 1911

Serial No.

1997

49) Draft subd.
K.N.(123) SN
6.3.13

Dy Secy) SPL 7/3

Secy) Dmessage 7/3

1st & 2nd Counsellor

WL 11/3 Draft 11/3 SPL

50) Draft approved by 2? Cr
Sg(54) 12/3/13

WL 13/3 Draft 13/3 SPL

15th Cr) 51) Draft appd. by 1st Counsellor 14.3.13
MS

WL 15/3 Draft 15/3

MR 15/3

Secy) Draft 15/3

28/3

10 To The I.G.P. no. J 2781/07 20.3.13
states that the introduction of the new form is opposed to law & that under existing conditions no relief to the Spl. Magte., K.G.F. is needed to enable him to get through the cases under the Police Regulation expeditiously

NOTE—Contn. sheet.

G I E—65,000—17-6-12.

19 —19

File No. 125-A

Sl. No. 1

From

The Inspector-General of
Police in Mysore.

To

The Secretary to the Govt. of
H. H. the Maharaja of Mysore,
Gen. and Rev. Depts

Dated

Despatched 6th July 1914

Received

General No. 28/6

Enclosure No. One

Recommending the introduction of petty charge sheet forms proposed by the deputy Commissioner of Kolar to bring about certain modifications in order to save time and work.

GPL—500—26-11-09

OFFICE OF THE INSPECTOR-GENERAL OF POLICE IN MYSORE.

No. 98 Encl. one / 6 *Dated Bangalore, 6th July* 1911.

FROM

D. Devaraj Urs Esquire,

Inspector-General of Police in Mysore.

To

C. S. Balasundaram Iyer Esq., B.A.,

Offg. *Secretary to the Government of H. H. the Maharaja of Mysore, General and Revenue Departments.*

SIR,

I have the honour to state that the Deputy Commissioner, Kolar District reports that the introduction into the Kolar Gold Fields of the Pro-visions of section 56 of the Mysore Police Regulation No.5 of 1908, has greatly increased the work of the Criminal Courts. In pursuance of the practice now follow-ed the Magistrate has to write out in his own hand a number of entries in the summary register in every petty case. A lot of energy and time is wasted over this to the detriment of other work.

2. To obviate this he recommends the intro-duction of a petty charge sheet form, a copy of which is herewith appended. It is a modification of the form which has been in use in the City since its introduction by the authority of the late Chief Commissioner's Cir-

-cular

Circular No.112 of 1880 in pursuance of the Madras Act V of 1861, into the Town and Cantonment of Bangalore. The form, though an anomaly, as the whole of the said Act (V of 1861) was repealed by Regulation No.V of 1908, is still in use in the City.

3. The form now proposed would be submitted to the Court by the Police in triplicate - written up by the aid of carbon paper - all its columns except the one headed 'Orders of Magis-trate' being filled up by the Police. The Magis-trate would write out his order on one of the forms which may be filed in the Court. The order being copied on the other two forms, one may be submitted to the higher authority and the other returned to the Police for their reference.

4. I am fully convinced of the urgent neces-sity for the introduction of some such form into the Kolar Gold Fields and warmly endorse the recommendation of the Deputy Commissioner, Kolar. I further propose that the use of the new form

may

may be legalised in the Cities of Bangalore and Mysore, thereby doing away with the irregular practice, obtaining in the City of Bangalore, of submitting the charge sheet in Police Regulation I.A. Form, introduced under the old Act, repealed by the new Police Regulation. I request that you will be so good as to obtain the early sanction of Government for the above.

I have the honour to be,

Sir,

Your most obedient servant,

Inspector-General of Police.

1 ..

11/1217

5

Police

[R.S. 26]

File No. 125-11

Serial No. 2

Diary No. of letter replied to ___ ___

No. J 310

General and Revenue Secretariat
(Police)
, *the* 19 .

To

The I. G. of Police in Mysore

Date of issue 20-7-11

Signed by [illegible] Hirizamiangs

With reference to his letter no 98-6 dated the 6th July 1911 regarding the institution of a petty charge sheet has the honor to request that a copy of the Chief Comrs circular no 112 of 1880 referred to therein may be furnished to this office for reference.

By Order

For Secretary

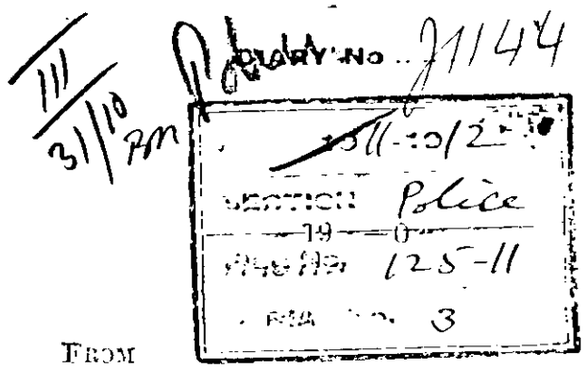
over.

Copied 19/7/11
E & SW

18-7-11. SW(11)

(59) 15-7-11.

SUBJECT.



FROM

The Inspector-General of
Police in Mysore.

To

The Secretary to the Govt. of
H. H. the Maharaja of Mysore,
Gen. & Rev. Depts.

Dated 30th October 1911

Despatched —

Received

General No. 1690
No. 189

Enclosure No.

Re the introduction of the form of petty charge sheet in the Kolar Gold fields

---

GPB—100—11 5 09

6

No. 1690/189

OFFICE OF THE INSPECTOR-GENERAL OF POLICE IN MYSORE,

Dated Bangalore, 30th October ~~190~~ 1911

FROM

D. Devaraj Urs Esquire,

Inspector-General of Police in Mysore.

To

C.S. Balasundaram Iyer Esquire, B.A.

Offg. *Secretary to the Government of H. H. the Maharaja of Mysore, General and Revenue Departments.*

SIR,

With reference to your docket No.J.310/ Police dated 20th July 1911 calling for a copy of Chief Commissioner's circular No.112 of 1880 referred to in this office letter No.98/6 dated 6th July 1911 regarding the introduction of the form of petty charge sheet in the Kolar Gold Fields, I have the honor to state that the number of the Chief Commissioner's circular quoted is incorrect. This number 112 is the number of the page in the Madras Police weekly circular of 1880 which deals with the register of petty cases.

2. Act V of 1861 was applied to the District of Bangalore(including the Town and Cantonment of that name) by Foreign Department notification No.385 dated 11th December 1866- vide Government Proceedings No.7822/J.845 dated 4th January 1899.

J.11 of 1898

3. There is no circular No.112 and the same was mentioned in this office letter ~~No~~. quoted above through an oversight.

I have the honor to be,
sir,
Your most obedient servant,

for Inspector-General of Police

1

1494
28/10/12

X

7

Police

G.R.S. 26]

File No. 125-

Serial No. 4

*Diary No. of letter replied to*_____

No. J 2087

General and Revenue Secretariat

( )

, the 19 .

To

The I. G. of Police in Mys

Date of issue 23.1.12

Signed by Mr. S. Hiriyannaiya

With reference to the correspondence ending with his letter no. 1690-189 dated the 30th October 1911 bearing the endorsement of a "petty charge sheet" from the H. S. T. and the Bangalore City Pro. the honour to enquire whether such a ~~Gross is a petty~~ charge sheet is in use in British India and if so how it compares

over.

SUBJECT.

8

with the one now proposed to be introduced. A very early reply is required.

By Comm

For Secretary

B.J. 18-1-12 SN (1.)

(59) 19-1-12

List of enclosures,

Copied by KB 22/1/12

Examined by CN

GPB—10,000—28-2-11.

DEPT. No. 52235

17-2-12 DIV

SECTION Police

FILE No. 125-11

FROM

The Inspector-General of Police in Mysore.

To

The Secretary to the Govt. of
H. H. the Maharaja of Mysore,
Gen. & Rev. Depts.

Dated 26th February 1912

Despatched

Received

General No. 3333

No. 660

Enclosure No. one

Recommending the introduction of Petty Charge sheet Forms in the Kolar Gold Fields.

GPB—100—7-12-11

9

OFFICE OF THE INSPECTOR-GENERAL OF POLICE IN MYSORE,

No. 3333 Enclosure 410 *Dated Bangalore,* 26th February 1912

FROM

C. Srikantesvara Aiyar Esqr., B.A.B.L.,

Offg: *Inspector-General of Police in Mysore.*

To

C.S.Balasundaram Iyer Esquire, B.A.,

Offg: *Secretary to the Government of H. H. the Maharaja of Mysore, General and Revenue Departments.*

Sir,

With reference to your docket No.J. 2087/Police 125-11-4 dated the 23rd ultimo in re the introduction of a"petty charge sheet" form into the Kolar Gold Fields and the Cities of Bangalore and Mysore, I have the honor to state that such a form is used in the Madras Presidency (copy of which is enclosed) and exactly corresponds with that introduced into the Bangalore City and the C. &. M. Station, Bangalore, in pursuance of act V of 1861, except that the latter contains an additional column for information viz., "Monthly number and date" not found in the former.

2. The petty charge sheet form, the introduction of which is now recommended by me is much simpler than the Madras form in as much as

as this contains only four heads against eight of Madras and will be used only for offences under section 56 of the Mysore Police Regulation while in Madras the form is used not only for cases against the Police Act but other Acts as well.

3. I request that you may be so good as to obtain the early sanction of Government in the matter as congestion of work in the Kolar Gold Fields Special Magistrate's Court and elsewhere is seriously complained of.

I have the honor to be,

Sir,

Your most obedient servant,

Offg:Inspector-General of Police.

S.S.G.

Form No 54.

Charge Sheet of Petty Cases.

Consecutive No.	Names of persons charged address and occupation.	By whom arrested and when.	when bailed	charge	Date on which put up before the Magistrate.	Sentence	Remarks
							Cancelled 12-5-11-5

J 2431/Police/25-10 of
Sl. no. 61

12

Office. 16.3.12.
18.

Dear Mr Statham,

With reference to the conversation you had with the Secretary about the "Petty charge Sheet forms" said said to be in use in the Presidency Magistrates' Courts at Madras, I shall be obliged if you can let me know the authority under which those forms are prescribed. Sec 340 of the British Indian Cr. Pr. Code is practically the same as Sec 263 and I can find no authority for the forms in the City of Madras Police Act. Probably the Madras High Court do not interpret the two sections referred to above as liberally as our Chief Court does Sec 263. However I shall thank you for such information you may possess on the point as it will enable us to take further action in the manner suggested by you.

With Kind regards

Yours very sincerely

Sd. S. Krishnamachari

3364

File no. 125-11
Sheet no. 7

Champion Reef

19 June 1912

Dear Mr Hiriyanniah,

I herewith enclose the papers I have received from Mr Pritchard, Supte of Police, regarding the petty charge sheet form in use in Mysore & the

Other Styles of Bungalow
Except that these faces
are in use, we have
not been able to find
out the authority
for their use.

Yours sincerely
Jonathan

(14

Encl 45 of 125-11-7)

D.O. OORGAUM,

23rd May 19

Dear Mr Matthan,

Herewith the particulars I have been able to get re the "Petty Charge Sheet"

I remember that you are leaving the station tomorrow.

yours sincerely,

J. Edwards

15

Copy.

Spl(1)25-11-7

10-11.

From,

Sidney M.Pritchard Esq.,
Superintendent of Police,
Kolar Gold Field.

To,

D.Devaraj Urs Esquire.,
Inspector General of Police in
Mysore,
Bangalore.

Through the Deputy Commissioner
of the Kolar District.

18/20 May 1911.

Enclosure. one.

Sir,

In forwarding herewith copy of a letter No.429 dated the 13th inst from the Senior Assistant Commissioner and 1st Class Magistrate,Kolar Gold Field, asking me to request the police not to submit any more reports on the "Petty Charge Sheet" form I have the honour to state that the provisions of Section 56 of the Police Act,which were extended to the Sanitary Board Area of the Kolar Gold Field by Government Notification No. J.888.Leg.11-09 dated the 22nd September 1909,will practically be inoperative for the present.

JLS

It cannot be denied that the "Petty Charge Sheet" has not been sanctioned by Government but,although this is the case,it is being used by the Bangalore City Police & accepted by the City Magistrate & one thousand forms have been supplied to my office.

In view of the Magistrate's

letter I have issued orders that the form is not to be used till further orders & I beg that early steps be taken to get the form authorized as, if the provisions of Section 56 of the Police Act cannot be enforced for any length of time, I fear that those of the public who most frequently offend against the section, will be greatly emboldened when they find that the hands of the police are tied.

This is what is now done by

I will see that in any exceptional cases a Charge Sheet in Form A. (Police Register No 14) is used.

I have the honour to be,

Sir,

your most obedient servant.

(Signed) Sidney M.Pritchard.
Superintendent of Police,
Kolar Gold Field.

Copy.

Superintendent of Police,
Kolar Gold Field.

1910—11. 17

Enc W No 1215-11-7

From

P. St. Bowring Esquire
Senior Assistant Commissioner
and Police Cases Magistrate
Kolar Gold Field

To,

The Superintendent of Police,
Kolar Gold Field

Dated the 12th March 1912.

No. 429.

Sir,

As the power to report petty cases submitted by the Police under section 56 of the Mysore Police Regulation have not been yet approved of, I have the honor to request that necessary instructions may kindly be given to the Police not to submit any more of these cases until their introduction is sanctioned. I have etc

P. St. Bowring
Police Cases Magistrate
Kolar Gold Field

"copy"
J. Anderson Richards
Superintendent of Police
Kolar Gold Field
20/3/12.

Encl 4 Mad (125-11-) (18

Key Cases. Madras City Police.

These cases are dealt with by the Police under Act III of 1888. This act includes all cases falling under Act V of 1861.

The Police are empowered to arrest those persons who commit offences in their view or presence only. If witnesses are available their names are entered in column 5.

When a P.C. or an Officer brings an offender to the Police Station, the name of the accused person, the nature of the offence charged is written in detail in a register called the Night Case Register and the offender released on bail and directed to appear in Court.

No arrest report is submitted.

The number of cases reported from 8 P.M. to the following night

night (8 o' clock) is again written up in a charge sheet or magistrate's case book under a duplicate of the same being prepared with the aid of carbon paper. Both the original and the duplicate are sent to the Court of Bench magistrate by whom all such cases are tried. The Court, after disposing of the cases writes the sentences in Column 8 of the duplicate form and forwards the same to the Commissioner of Police and submits the original to the Chief Presidency magistrate, to whom an appeal lies from an order or sentence of the Bench Court.

x x x x

The authority for the introduction of the registers and forms is said to be a circular or circulars issued by the Commissioner of Police under the authority of Government Yes

2

Years ago, but I was not
able to secure a copy. x

x x x . x x

The Registers, Forms and Returns
now in use are the following:

1. Night case Register — Daniel
(same headings as ours
Police Register 1-A)

2. Night case Calendar (forms)
English — British forms
obtained from Bench
magistrates Court.

3. Crime Abstract (Returns) } 4 names
4. " " (Book) } - eight

Dc Key Cases Form Station,
Bangalore.

All - Petty cases occurring
under the Municipal Byelaws
Police Act, Cantonment Act
and the Gambling Act are
registered in the Petty Cases
Register and the names of
the accused persons sent up
to the Court of Bench magistrates
or the magistrates Night Case
Calendar

Calendar forms which are supplied by the Bench Magistrate's Court.

x x x x

The rest of the procedure is similar to that prevailing in Madras city. The Headings of the Petty Cases Register in use in the Examination of Bangalore are the same as those in the Register prescribed for the Bangalore city, a copy of which is attached (Block Rg 1.A)

x x x x x

— o —

Superintendent Board,
23/5/12 Retrenchment Dept

Smal C Rol (125-11-)

23

Record in Summary Appealable Cases.
Section 264. C. P. C.

Form No. 16, Criminal.

In the Court of the Bench of Magistrates, Civil and Military Station of Bangalore.

Number.	Date of commission of offence.	Date of report or complaint.	Name of complainant.	Accused				Offence complained of or proved.	Prisoner's plea.	Substance of Evidence.	Sentence.	Date on which proceedings terminated.
				Name.	Parentage.	Age	Residence.					
2	3	4	5	6	7	8	9	10	11	12	13	

Table showing the number of Prosecutions instituted for the Month of 190 with result Division.

Sections	Charges with date	No. of Summons	Convicted	Acquitted	Withdrawn	Party not found	Undisposed	Fines awarded	Remarks.

Station,

190

—7-09—240.

Inspector of Police B. Division.

G. R. S. 26] 3364/08

Police 28
File No. 125-11
Serial No. 8

Diary No. of letter replied to

No. J 404.

General and Revenue Secretariat
( )
, *the* 191 .

To

The Inspector General of Police
in Kandy.

Date of issue 7-8-12

Signed by for S. Kiriyamuttu

With reference to
the correspondence ending
with his letter No. 3333-410
dated the 26th February 1912
regarding the institution of a
petty charge sheet from
into the K. G. J. has the
honour to request that instruc-
-tion as to the manner of
under section 56 of the Police

over.

SUBJECT.

MSu 6/8/12

27

Reg. claim filed & disposed
of in the Special Magistrate's Court,
K. S. T. during the years 1910-11 & 11-12
may be obtained & forwarded
to this office at any date.

By Order

for Secretary.

B.G.
CS 31.8.12

SN (11)
1-0-12

28

OFFICE OF THE INSPECTOR-GENERAL OF POLICE IN MYSORE,

No. 11131/129 *Dated Bangalore,* 6th October 1912.

FROM

C. Srikanteswara Aiyar Esquire, B.A., B.L.,

Offg. *Inspector-General of Police in Mysore.*

To

K.R. Sreenivasaiengar Esquire, M.A.,

Offg. *Secretary to the Government of H. H. the Maharaja of Mysore, General and Revenue Departments.*

Sir,

With reference to the correspondence ending with your docket No.J.404/Police 125-11-8 dated 7th August 1912 re the introduction of a petty charge sheet form to the Kolar Gold Fields, I have the honor to forward herewith copy of statement received from the Superintendent of Police, Kolar Gold Fields, showing the number of cases filed and disposed of in the special Magistrate's Court under Section 56 of the Police Regulation, during the years 1910-11 and 1911-12.

I have the honor to be,

Sir,

Your most obedient servant,

M Lakshmanaswamy

Asst. to the Offg. Inspector General of Police,

For Offg. Inspector General of Police,

Absent from station.

DIARY No. 995

	10/L-10 13
SECTION	Police
FILE No.	125-11
SERIAL No.	9

III/SP

191 —19

FROM

The Inspector-General of Police in Mysore.

To

The Secretary to the Govt. of H. H. the Maharaja of Mysore, Gen. & Rev. Depts.

Dated
Despatched } 4-10-1912

Received

General No. 1431/129
No.

Enclosure No. /

Forwarding statement received from the Superintendent of Police, K.G.F., showing the number of cases filed and disposed of in the special Magistrates court under section 56 of the Police Regulation.

GPB—200—7-12-11

Encl Mol 125-1g (29

Statement showing the number of cases filed and disposed of in the Special Magistrate's Court under Sec: 56 of the Police Regulation during the years 1910-11 and 1911-12.

Year and Station.	No. of cases filed.	No. of cases disposed.	Remarks.
1910-11.			
Champion Reefs and Marikuppam.	47	47	
Corgam	8	8	
Robertsonpet.	15	15	
Total	70	70	
1911-12.			
Champion Reefs and Marikuppam.	10	10	
Corgam	-	-	
Robertsonpet	29	29	
Total	39	39	

1910-11.

No. of cases filed under Sec. 57 Cl. (1) M.P.R. 3.

1911-12.

No. of cases filed under Sec: 33 V.P.R. 1/1

--Do--- M.P.R. 22

--Do-- --Do-- 3

25

" C O P Y."

M Lakshmanaswami

For Offg. Inspector General of Police.

(R. S. 26)

Police File No. 125-11

Serial No. 10

Diary No. of letter replied to

No. J 26 2787

General and Revenue Secretariat

( )

, the 191 .

To

The Inspector General of Police in Mysore.

Date of issue 20-3-13

Signed by W. P. Rajagopalachari

Sir,

With reference to the correspondence ending with your letter no. 1431/129 & 4th Oct 1912 in the matter of the introduction of a petty charge Sheet form to the Kolar Gold Fields, I am directed to state ~~that the opinion of Govt.~~ observe that in the opinion of Govt, its introduction is opposed to law and that

over.

SUBJECT.

31

~~Govt are of opinion that~~ under existing conditions no relief to the Special Magistrate of the Kolar Gold Fields is needed to enable him to get through the cases under the Police Regulation expeditiously.

I have etc

JR

For Secy to Govt.

Draw 7/D

12/3/13

14/3/13

KN. (123) 5.3.13 CW 5/3

List of enclosures.

Copied by KM

Examined by SV

GPB—25,000—8-8-11.